

From: Poalinelli, Edwin
Sent: Thursday, December 2, 2021 4:39 PM
To: Diangco, Andrea - OSHA <Diangco.Andrea@dol.gov>
Subject: FW: Questions about TRW Microwave

Here is the first of several email chains.

Thanks

Edwin "Chip" Poalinelli
Section Manager - California Site Cleanup Section I
Superfund and Emergency Management Division U.S. EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-972-3390
415-301-1573 (cell)
poalinelli.edwin@epa.gov

From: Ashley Gjovik <ashleygjovik@icloud.com>
Sent: Tuesday, May 4, 2021 10:58 AM
To: PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>
Subject: Re: Questions about TRW Microwave

Hi Margot!

Thank you very much. No deadline; I understand you're busy. Just generally sooner than later would be great.

P.S. I don't have anything in the pipeline publishing wise about the TRW Microwave site — though I am speaking with several other agencies about it — in addition to talking with Apple directly. As mentioned, as of my last conversation with Apple Employee Relations, I'm unsure if I can actually talk about the site at work without getting in trouble for doing so — let alone publishing anything.

Thanks again! Appreciate your help.

-Ashley

Ashley M. Gjovik
Juris Doctor Candidate & Public International Law Certificate Candidate, Santa Clara University, Class of 2022
I'm not a lawyer and nothing I say should be considered legal advice.
<https://www.linkedin.com/in/ashleygjovik/>
(415) 964-6272

On May 4, 2021, at 10:13 AM, PerezSullivan, Margot <PerezSullivan.Margot@epa.gov> wrote:

Hi Ashley, Thanks so much for sending, I was about to hit send when this came through! Rest assured, we are working on responses to your questions. I know you've been publishing your work – is there a specific deadline you need us to meet? Please let me know, thank you!

Margot Perez-Sullivan

U.S. Environmental Protection Agency

D: 415.947.4149 C: 415.412.1115

E: perezsullivan.margot@epa.gov

From: Ashley Gjovik <ashleygjovik@icloud.com>

Sent: Friday, April 30, 2021 4:29 PM

To: PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>

Subject: Re: Questions about TRW Microwave

Hi Margot,

As discussed, my questions relate to testing, communication, and monitoring/response. I'm already talking to Apple's Env Health & Safety team to hear their side of things — but I'm interested in hearing the EPA's perspective on these topics. I'd like to understand what y'all's expectations are. I understand it will be much high level policy and may be entirely inline with what Apple is already saying — but it'd like to be able to compare/contrast. If the EPA doesn't have their own guidance on items below, that's fine, just let me know.

1) Testing:

Background: First, from what I've learned from Apple — it sounds like there hasn't been any indoor air testing (sub slab or indoor air) since 2015. (They are currently planning to do testing this year, though they didn't fully explain why they decided to start testing this year after six years). I reviewed the indoor air reports from 2003, 2004, 2013, & 2015. It appears there is a long history of indoor air measurements with chemicals of concern above max industrial risk levels. My desk looks to be in a bit of a hot spot too. In 2015, there was some testing done (May & Dec it appears) but instead of 24/48hr — they did 10hr, at least for Dec. I'm still waiting to see the details of the May testing. And at least in Dec 2015, it appears they weren't able to fully shut off the HVAC either. And the Dec results came back with high levels of Ethylbenzene and Toluene that were suspected to be resulted to the construction, but does not appear to have been verified by an additional test later. It also appears that the building was vacant until Apple moved my team in there in 2015-ish.

Question: I am curious what the EPA's expectations are for the frequency (how often) & duration (how long/intensive) of indoor air testing in a building like TRW Microwave. Did you approve that they could stop doing indoor air testing after 2015 — or is it up to the responsible party to decide? Are Ethylbenzene and Toluene CoCs for the great Triple Site plume — could they be migrating?

2) Communication:

Background: Next, from what Apple has told me, they said they decided internally that they have no legal obligation to have to inform employees about the status of these buildings related to chemicals in the soil or groundwater, or Superfund status, etc. I pressed further if there's an ethical obligation and they said that would be a "bigger conversation." It sounds like they think they only have to inform employees if there's a concrete and immediate risk to employee health (which I argued... how would they know that if they're not testing?... no answer). I'm also feeling pressure to not talk to co-workers about any of this either (from my direct manager and our employee relations teams).

Question: I am curious what the EPA's expectations are for responsible parties related to informing workers in these buildings about the chemicals, the gov status, etc. Maybe this is more OSHA & "Right to Know" — but any guidance you can provide here would be helpful. Also anything about workers rights to be able to talk about these sites. I would also appreciate any guidance you have about learning more about possible chemical exposure from this site from an unbiased party. I talked to Dr. Robert Harrison about it yesterday for a bit, but he says we don't have enough data because no one was testing while I

was there. I was also going to see if Tracy Barreau and Dr. Prudhomme would take a look informally. Let me know if you know of anyone else who might have thoughts.

3) Monitoring:

Background: Further, because none of us know this is a Superfund site — we don't know not to mess with sub slab vent covers, or to not mess with the HVAC, or to report if there's any usual smells etc. I brought this up with him and he'd said he'd back to me a couple weeks ago — but said that the Env Health Safety team does know and does visit the site. I communicated that does not seem sufficient. In fact, with the wild fire smoke last year, we had EHS turn off the HVAC so outdoor air wasn't being brought in — from what I've seen, it doesn't seem like the vapor intrusion mitigation system was ever considered when they did turn it off. I believe it was off for a week or two. I brought this up too - and he hasn't gotten back to me either. I know I've seen people kicking at those SS-V plugs not knowing what they are too.

Question: Similar question as #2, but I'm curious what the EPA's expectations are for responsible parties (and companies they may lease to) to communicate to workers in these buildings about how to monitor for their issues (weird smells, weird health issues, etc) or how to report trouble or what not to mess with (plugs, HVAC, etc). Etc.

These are my best attempt at mapping results.... But take with a grain of salt... I only play an industrial hygienist on TV. J/k. But seriously, also mapped where I fainted in 2019. Our HR team pushed me to file a workers comp claim about it and the workers comp administrator wanted to call it "continuous trauma" for my time working in at least that building. (Apple had plenty other Superfunds and chemical release sites I visited too). I'm not sure where this will go though... if Apple wasn't testing the indoor air, it seems impossible to know if there were problematic chemicals in the air or not when it happened.

I did have more fainting in the office in 2020, but it was while this was going on too:

<https://sfbayview.com/2021/03/i-thought-i-was-dying-my-apartment-was-built-on-toxic-waste/>

So I just assumed the fainting in 2020 was carry over from the apartment I moved into Feb 2020. I haven't been back to the office since last year. I've been fine since I moved out of that apartment in Sept 2020 (and haven't been back to the office either).

Anyhow, FYI.

<image001.png>

<image002.png>

—

Ashley M. Gjøvik

Juris Doctor Candidate & Public International Law Certificate Candidate, Santa Clara University, Class of 2022

<https://www.linkedin.com/in/ashleygjovik/>

(415) 964-6272

On Apr 29, 2021, at 10:19 AM, Ashley Gjovik <ashleygjovik@icloud.com> wrote:

Hi Margot! No worries at all. Hope things calm down.

Actually, if you'd prefer, I can send you a note today or tomorrow summarizing my questions. I'll start drafting!

—

Ashley M. Gjøvik

Juris Doctor Candidate & Public International Law Certificate Candidate, Santa Clara University, Class of 2022

<https://www.linkedin.com/in/ashleygjovik/>

(415) 964-6272

On Apr 29, 2021, at 10:03 AM, PerezSullivan, Margot <PerezSullivan.Margot@epa.gov> wrote:

Ashley, I have not forgotten about you – I got slammed yesterday afternoon. I will be writing them up and sending them on to ensure I captured all of the items for which you are seeking information. I appreciate your time!

Margot Perez-Sullivan

U.S. Environmental Protection Agency

D: 415.947.4149 C: 415.412.1115

E: perezsullivan.margot@epa.gov

From: PerezSullivan, Margot

Sent: Monday, April 26, 2021 10:57 AM

To: ashleygjovik@icloud.com

Subject: Questions about TRW Microwave

Hi Ashley,

Michael forwarded your note and asked that I follow up with you. Please let me know a good time to chat so I can better understand your questions. I will be out of the office tomorrow, but am working the rest of the week. Many thanks!

Margot

Margot Perez-Sullivan

U.S. Environmental Protection Agency

D: 415.947.4149 C: 415.412.1115

E: perezsullivan.margot@epa.gov